

REMARKS

This application has been amended so as to place it in condition for allowance at the time of the next Official Action.

The Official Action rejects claims 1-7, 9-16 and 18-20 under 35 USC §103(a) as being unpatentable over WALLACE, in view of ROSCHAK et al. Reconsideration and withdrawal of this rejection are respectfully requested for the following reasons:

As shown in Figures 3L and 3M of the newly applied ROSCHAK reference, the elongate body 348 includes a plurality of hinged members 352, each of which being adapted to expand in diameter from the elongate body 348.

As described in paragraph [0079] of ROSCHAK, the hinged members 352 expand away from the elongate member 348 given relative movement between the elongate member and the heating element. This expansion is possible since the hinged members 352 have two ends fixed to the elongated member 348.

Thus, it appears clearly that the expansion of hinged member 352 as disclosed in ROSCHAK cannot be applied to a fin projecting from the cylindrical body of the lachrymal meatus, as a fin has one free end which is not fixed to the cylindrical body.

Accordingly, Applicants have amended independent claims 1 and 11 to further recite that "the fin comprises a free end, said free end being substantially housed into a reduced diameter

portion of the cylindrical body, when the fin is in said folded position."

Neither ROSCHAK nor WALLACE discloses a deformable fin with a free end folded into a reduced diameter portion of the cylindrical body. Accordingly, the applied references, considered either individually or in combination, render obvious the device as now claimed. Reconsideration and withdrawal of this rejection are therefore respectfully requested.

The Official Action rejects claims 8 and 17 under 35 USC §103(a) as being unpatentable over WALLACE in view of ROSCHAK et al., further in view of FOUERE. Reconsideration and withdrawal of this rejection is respectfully requested for the following reasons:

The FOUERE reference is offered for its asserted teaching of the features of a fin that pivots between the folded position and the extended position about an axis parallel to the longitudinal direction of the cylindrical body. The Office Action draws particular attention to the gripping means 12 of the FOUERE device as illustrated in FIG. 2 thereof.

Applicants note, however, that irrespective of the possibility of such teaching, the FOUERE reference no more teaches the feature added to claims 1 and 11 than do the remaining applied references. Applicants note that, in addition to the features of the fins recited in claims 8 and 17 and those added to claims 1 and 11, the fin is recited as being heat-

deformable from the folded position to the extended position. Neither the elements of the WALLACE or ROSCHAK et al. device nor that of FOUERE teach such a combination of features in connection with a fin as now recited.

In light of the amendments provided above and the arguments offered in support thereof, applicants believe that the present application is in condition for allowance and an early indication of the same is respectfully requested.

If the Examiner has any questions or requests clarification of any of the above points, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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